

## CHAPTER 21

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**Part 1**

**Short Title**

**§1. Short Title<sup>1</sup>**

These regulations<sup>2</sup> shall be known and may be cited as the Bloomfield Borough Subdivision and Land Development Ordinance.<sup>3</sup> (Ord. 132, July 8, 1975, Art. I, §101)

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<sup>1</sup>. The headings of §§1 to 104 of this chapter are part of the ordinance as enacted, except for §§31, 41, 61, 91 to 95.

<sup>2</sup>. §§1 to 104 of this chapter.

<sup>3</sup>. §105 of this ordinance was and enactment clause at the end of the ordinance. This ordinance printed in pamphlet form also included the following: Exhibit 1 – Application for Subdivision Approval; Exhibit 2 – Ordinance of Dedication (Ord. 133); Exhibit 3 – Affidavits and Acknowledges; Exhibit 4 – Title Block; Exhibit 6 – Sidewalk, Curb and Driveway Regulations. These exhibits are on file in the office of the Borough Secretary.

## Part 2

### Purpose, Authority, Application and Interpretation

#### §21. Purpose of the Subdivision and Land Development Ordinance

The purpose of this subdivision and land development ordinance<sup>4</sup> is to provide for harmonious development of the municipality and county by:

1. Ensuring the orderly and efficient integration of subdivisions into the development of Borough of Bloomfield.
2. Ensuring sites suitable for building purposes and human habitation.
3. Ensuring conformance of subdivision plans with public improvement plans.
4. Ensuring coordination of inter-municipal public improvement plans and programs.
5. Ensuring the protection of water resources and drainage ways.
6. Ensuring the efficient movement of traffic.
7. Ensuring equitable handling of all subdivision plans by providing uniform standards and procedures.
8. Ensuring the general health, safety, and welfare of the citizens of the Borough of Bloomfield.
9. Ensuring the efficient and orderly extension of community services and facilities at minimum cost and maximum convenience.

(Ord. 132, July 8, 1975, Art. II, §201)

#### §22. Authority

The Commission is hereby designated by the Governing Body as the agency having authority to approve for the Borough all pre-application plans and data and preliminary plats as required herein.<sup>5</sup>

The Commission is further designated as the agency which shall review and make recommendations on all final plats as required herein, <sup>6</sup> prior to action on same by the Governing Body.

(Ord. 132, July 8, 1975, Art. II, §202)

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<sup>4</sup>. §§ 1 to 104 of this chapter.

<sup>5</sup>. In §§ 42 and 44 of this chapter.

<sup>6</sup>. In § 46 of this chapter.

### **§23. County Planning Board Review**

Applications for review of subdivision and land development within the Borough of Bloomfield must be forwarded upon receipt by the Borough to the County Planning Commission for review and report, and the Borough shall not approve such applications until the County report is received, or until the expiration of thirty (30) days from the date the application was forwarded to the County. As evidence of this review and report, officials of the County Planning Commission will sign such plats, which have been formally approved by the Borough, before such plats are presented for recording.

(Ord. 132, July 8, 1975, Art. II, §203)

### **§24. Application of Regulations**

1. No subdivision or land development of any lot, tract, or parcel of land located in Bloomfield Borough shall be effected; no street, sanitary sewer, storm sewer, water main, or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings thereon unless and until a final subdivision plat has been approved by the Governing Body and publicly recorded in the manner prescribed herein;<sup>7</sup> nor otherwise except in strict accordance with the provisions of this ordinance.<sup>8</sup>

2. No lot in a subdivision may be sold; no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no building may be erected or altered in a subdivision or land development, unless and until a final subdivision plat has been approved by the Governing Body and recorded, and until construction of the improvements required in connection therewith has been guaranteed in the manner prescribed herein.<sup>9</sup>

3. Unit or condominium subdivision of real property is included within the meaning of the subdivision as defined herein<sup>10</sup> and must comply with the subdivision regulations except for lot requirements under Section 504(1, 2-a through 2-c)<sup>11</sup> and provided such subdivision is served by a public or common sewage collection and treatment system. Such compliance shall include, but not be limited to, the filing of preliminary and final plats, the dedication and improvement of right of way, roads, streets and the payment of fees and charges as established by the Governing Body.

Preliminary and final plats shall indicate the location of each structure and clearly define each unit and shall indicate public easements, common areas, and improvement, all easements appurtenant to each unit and improvements to public right of way. Unit or condominium subdivisions are subject to the zoning regulations<sup>12</sup> as they apply to use and density requirements, setbacks, parking and other features and shall be indicated on the subdivision plats.

(Ord. 132, July 8, 1975, Art. II, §204)

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<sup>7</sup>. In §46 (9 to 10) of this chapter.

<sup>8</sup>. §§ 1 to 104 of this chapter.

<sup>9</sup>. In § 46(4) of this chapter.

<sup>10</sup>. In § 31(88) of this chapter.

<sup>11</sup>. § 54(1, 2-a to 2-c) of this chapter.

<sup>12</sup>. See Chapter 26.

**§25. Interpretation**

In interpreting and applying the provisions of this ordinance,<sup>13</sup> they shall be held to minimum requirements for the promotion of public health, safety, comfort, convenience, and general welfare. Where provisions of this ordinance impose greater restrictions than those of any statute, other ordinance, restriction, or regulation, the provisions of [this ordinance shall be controlling. Where the provisions of a statute, other] ordinance, resolution, or regulation imposes greater restrictions than this ordinance, the provisions of such statute, resolution, ordinance, or regulation shall be controlling.

(Ord. 132, July 8, 1975, Art. II, §205)

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<sup>13</sup>. §§ 1 to 104 of this chapter.

## Part 3

### Definitions

#### §31. Definitions

The following words and phrases, as used in this ordinance,<sup>14</sup> shall have the meaning hereby ascribed thereto, unless the context clearly indicates a different meaning.

1. Alley (or Service Drive) – a minor right of way, publicly or privately owned, primarily for service access to the back or side of properties and not intended for general traffic circulation.
2. Applicant (see Developer and Subdivider) – a landowner or developer, as hereinafter defined, who has filed an application for the subdivision or development of a tract of land, including his heirs, successors, and assigns.
3. Application for Development – every application, whether preliminary or final, required to be filed and approved prior to start of construction of development including, but not limited to, an application for a zoning permit, for the approval of a subdivision plat or plan or for the approval of a development plan.
4. Block – an area bounded by streets
5. Borough – The Borough of Bloomfield, Perry County, Pennsylvania; Borough Council, its agents or authorized representatives.
6. Building Line – a line parallel to the front, side or rear lot line set so as to provide the required yard.
7. Building Setback Line (Setback) – the line within a property defining the required minimum distance between any enclosed structure and the adjacent right of way, and the line defining side and rear yards, where required.
8. Cartway or Roadway – that portion of a street or alley which is improved, designated or intended for vehicular use.
9. Chairman – the chairman of the Bloomfield Borough Planning Commission.
10. Clear Sight Triangle – an area of unobstructed vision at street intersections. It is defined by lines of sight between points at a given distance from the intersection of the street center lines.
11. Commission – The Bloomfield Borough Planning Commission.
12. Commission Staff – the Bloomfield Borough Engineer and/or other personnel retained by the Planning Commission.

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<sup>14</sup> §§ 1 to 104 of this chapter.

13. Common Elements – means and includes:
- a. The land on which the building is located and portions of the building which are not included in a unit;
  - b. The foundation, structural parts, supports, main walls, roofs, basements, halls, corridors, lobbies, stairways and entrances and exits of the building;
  - c. The yards, parking area and driveways;
  - d. Portions of the land and building used exclusively for the management, operation or maintenance of the common elements;
  - e. Installations of all central services and utilities;
  - f. All other elements of the building necessary or convenient to its existence, management, operation, maintenance and safety or normally in common use; and
  - g. Such other facilities as are designated as common elements.
14. Common Open Space – a parcel or parcels of land or an area of water, or a combination of land and water within a development site and designated and intended for the use or enjoyment of residents of the planned residential development, not including streets, off-street parking areas and areas set aside for public facilities. Common open space shall be substantially free of structures, but may contain such improvements as are in the development plan as finally approved and as are appropriate for the recreation of residents.
15. Condominium – ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, together with the individual ownership in fee of a particular unit or apartment in such building or on such parcel of land and may include dwellings, offices, and other types of space in commercial buildings or on property.
16. Cooperative – ownership in common with others of a parcel of land and of building or buildings thereon which would normally be used by all the occupants, together with individual rights of occupancy of a particular unit or apartment in such building or buildings or on such parcel of land and may include dwellings, offices and other types of space in commercial buildings or on property and where the lease, sale or exchange of a unit is subject to the agreement of the group of persons having common ownership.
17. Crosswalk – a right of way, publicly or privately owned, intended to furnish access to pedestrians.
18. Cut – an excavation; the difference between a point on the original ground and designated point of lower elevation on the final grade; also, the material removed in excavation.

19. Council, Borough Council – The Borough Council of the Borough of Bloomfield.
20. Developer (see Applicant and Subdivider) – any landowner, agent or tenant with permission of such landowner, who makes or causes to be made a subdivision of land or land development.
21. Development Plan – the provisions for the development of a tract of land, including a subdivision plat, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase “provisions of the development plan” when used in this ordinance shall mean written and graphic materials referred to in this definition.
22. Drainage – the flow of water or liquid waste and the method of directing such flow, whether natural or artificial.
23. Drainage Facility – any ditch, gutter, culvert, storm sewer, or other structure designated, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off street, public rights of way, parks, recreational areas, or any part of any subdivision or contiguous land area.
24. Driveway – a minor vehicular right of way providing access between a street and a parking area or garage within a lot or property.
25. Dwelling – a building designated for residential purposes and used as living quarters for one or more persons.
26. Dwelling Unit – one or more rooms used for living and sleeping purposes and having a kitchen with fixed cooking facilities arranged for occupancy by one (1) family or a single person.
27. Easement, Utility – a right of way granted for the limited use of land for public or quasi-public purpose.
28. Engineer – a registered professional engineer in Pennsylvania designated by the municipality to perform the duties of engineer as herein specified.
29. Engineering Specifications – the engineering specifications of the municipality regulating the installation of any required improvement or for any facility installed by any owner, subject to public use.
30. Erosion – the removal of surface materials by the action of natural elements.
31. Excavation – any act by which earth, sand, gravel, rock or any other similar material is dug into cut, quarried, uncovered, removed, displaced, relocated or bulldozed. It shall include the conditions resulting therefrom.

32. Fill – any act by which earth, sand, gravel, rock or any other materials is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting there from;

- the difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade
- the material used to make fill

33. Flood Plain – the area along a natural watercourse which may from time to time be overflowed by water therefrom.

34. Future Right of Way –

- (1) Right of way width required for the expansion of existing streets to accommodate anticipated future traffic loads.
- (2) A right of way established to provide future access to or through undeveloped land.

35. Governing Body – The Borough Council of the Bloomfield Borough, Perry County, Pennsylvania.

36. Half or Partial Street – a street, generally parallel with and adjacent to a property line, having a lesser right of way width than required for improvement and used as a street in accordance with the ordinance.

37. Improved Public Street – any street for which the Borough, Township, County, or Commonwealth has maintenance responsibility and which is paved with an approved hardtop surface.

38. Improvements – those physical conditions, installations, and changes required to render land suitable for the use intended, including grading, paving, curbing, street lights and signs, fire hydrants, water mains, electric service, gas service, sanitary sewers, storm drains, sidewalks, crosswalks, driveways, culverts, and shade trees; and those physical additions and changes necessary to produce usable and desirable lots.

39. Interior Walk – a right of way for pedestrian use extending from a street into a block or across a block to another street.

40. Land Development (see Subdivision) -

(i) The improvement of one or more contiguous lots, tracts, parcels of land for any purpose involving (a) group of two or more buildings, or (b) the division or allocations of land between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common area, leaseholds, building groups or other features;

(ii) A division of land into lots for the purpose of conveying such lots singly or in groups to any person, partnership or corporation for the purpose of erection of buildings by such person, partnership or corporation.

41. Landowner – the legal or beneficial owner or owners of land including the holder of a option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee having a remaining term of not less than forty years, or other person having a proprietary interest in the land, shall be deemed to be a landowner for the purpose of this ordinance.
42. Lot – a plot or parcel of land which is, or in the future may be, offered for sale, conveyance, transfer, or improvement.
43. Lot, Reverse Frontage – a lot extending between, and having frontage on, an arterial street and minor street, and with vehicular access solely from the latter.
44. Lot, Through or Double Frontage – a lot with front and rear street frontage.
45. Lot Area – the area contained within the property lines of a lot as shown on a subdivision plan excluding space within any street, but including the area of any easements.
46. Marginal Access Street – minor streets, parallel and adjacent to major traffic streets which provide access to abutting properties and control of intersections with the major traffic street.
47. Minor Subdivision – the subdivision of a single lot, tract, or parcel of land into two (2) lots, tracts, or parcels of land, for the purpose, whether immediate or future of transfer of ownership or of building development, providing lots, tracts, or parcels of land thereby created having frontage on an improved public street or streets and providing further that there is not created by the subdivision any new street, streets, easement, easements of access or need therefore.
48. Mobile Home – means a transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at the site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may used without permanent foundation.
49. Mobile Home Lot – a parcel of land in a mobile home park improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.
50. Mobile Home Park – a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more mobile [home] lots.
51. Municipality – Bloomfield Borough, Perry County, Pennsylvania, its Governing Body, agencies, and agents thereof.

52. Municipal Office – the business office of Bloomfield Borough operated during regular business hours and otherwise as needed by the Borough and its agents, representatives and staffs.
53. Owner – any person having title or interest whatsoever in any land subdivision as the word “subdivision” is hereinafter defined in this article and section.
54. Person – any individual or group of individuals, partnership or corporation.
55. Plan, Construction Improvement – a plan prepared by a registered engineer or surveyor showing the construction details of streets, drains, sewers, bridges, culverts, and other improvements as required by this ordinance.
56. Plan, Official – The Comprehensive Plan and/or Development Policy Plan (Master Plan) and/or Future Land Use Plan and/or Ultimate Right of Way Plan and/or Official Map or other such plan, or portions thereof, as may be adopted, pursuant to statute, for the area of the municipality in which the subdivision is located.
57. Plan, Sketch – an informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision.
58. Planned Residential Development – a area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, the development plan for which does not correspond in size, bulk or type of dwelling, density, lot coverage and required open space to the regulations established in any one residential district created from time to time, under the provisions of the Bloomfield Borough Zoning Ordinance.<sup>15</sup>
59. Plat, Final – a complete and exact subdivision plan prepared for recording as required by statute.
60. Plat, Preliminary – a tentative subdivision plan, in a lesser detail than the final plat, indicating the approximate proposed layouts of a subdivision as a basis for consideration prior to preparation of the final plat.
61. Profile Line – means the profile of the center line of the finished surface of the street, which shall be midway between the side lines of the street.
62. Public Grounds –
- (i) Parks, playgrounds, and other public arrears and
  - (ii) Sites for schools, sewage treatment, refuse disposal, other publicly owned or operated facilities.

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<sup>15</sup> See Chapter 26.

63. Public Notice – notice given not more than thirty days and not less than fourteen (14) days in advance of any public hearing required by this ordinance. Such notice shall be published once per week for two consecutive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing.

64. Reserve Strip – a narrow parcel of ground separating a street from other adjacent properties.

65. Resident Property Owner – any individual maintaining a voting address in the municipality, within one thousand (1000) feet of the proposed subdivision, owning real estate in his own or joint names. A tenancy in common or any other means of joint ownership shall be considered as an individual; however, the signature of any single joint owner shall be considered as binding the others.

66. Re-subdivision – any subdivision or transfer of land, laid out on a plan which has been approved by the Governing Body which changes or proposes to change property lines and/or public right of way not in strict accordance with the approved plan.

67. Reverse Frontage Lot – a lot extending between and having frontage on major street and a minor street with vehicular access solely from the latter.

68. Right-of-Way, Street – a public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley, or however designated.

69. Runoff – the surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

70. Sedimentation – the process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity. Once the matter is deposited (or remains suspended in water), it is usually referred to as “sediment”.

71. Seepage Pit – a covered pit with open-jointed lining through which the septic effluent may seep or leach into the surrounding soil.

72. Septic Tank – a watertight tank in which raw sewage is broken down into solid, liquid, and gaseous phases to facilitate further treatment and final disposal.

73. Setback, (Building Setback Line) – the line within a property defining the required minimum distance between any enclosed structure and the ultimate adjacent right-of-way, and the line defining side and rear yards where required.

74. Sewage Disposal System (On-Site) – any structure designed to eliminate sanitary sewage within the boundaries of the lot.

75. Sewage Disposal System (Public) – a sanitary sewage collection method in which sewage is carried by a system of pipes to a central treatment and disposal plant.
76. Shoulder – the portion of the roadway (cartway) between the curb or gutter and the travelway, intended for emergency and parking use.
77. Sight Distance – the length of a roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.
78. Slope – the face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per 100 feet or horizontal distance.
79. Soil Percolation Test – a field test conducted to determine the absorption capacity of soil to a specified depth in a given location for the purpose of determining suitability of soil for on-site sewage disposal.
80. Soil Stabilization – chemical or structural treatment designed to increase or maintain the stability of a mass of soil or otherwise improve its engineering properties.
81. Street – a public right-of-way which affords primary vehicular-pedestrian access to abutting properties, including street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley, or however designated.
82. Major Street –
- a. Arterial Street – a major street or highway fast or heavy traffic volumes of considerable continuity and used primarily as a traffic artery for the intercommunication among large areas.
  - b. Collector Street – a major street or highway which carries traffic from minor streets to arterial streets including the principal entrance streets of a residential development and streets within such a development.
  - c. Limited Access Highway – a major street or highway which carries large volumes of traffic at comparatively high speeds with the access at designated points and not abutting properties.
83. Minor Street – a street used primarily for access to abutting properties.
84. Cul-de-sac – a street intersecting another street at one end and terminating at the other in a vehicular turnaround.
85. Marginal Access Street – a minor street which is parallel and adjacent to limited access highways or arterial streets and which provides access to abutting properties and protection from through traffic.

86. Street Width – the shortest distance between lines delineating the right-of-way of a street.

87. Subdivider – (see Applicant and Developer) – the owner of authorized agent of the owner of a lot, tract, or parcel of land to be subdivided for sale or development under terms of this ordinance.

88. Subdivision (see Land Development ) – the division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development; provided, however, that the division of land for agricultural purposes into parcels of more than the acres, not involving any new street or easement of access, shall be exempted.

a. A division of any part, parcel or area of land by the owner or agent, either by lots or metes and bounds, into lots or parcels, two or more in number, for the purpose of conveyance, transfer, improvement, or sale, with appurtenant roads, streets, lanes, alleys, and ways, dedicated or intended to be dedicated to public use, or the use of purchasers or owners of lots fronting thereon.

b. The term “subdivision” includes division of a parcel of land into two (2) or more lots when such subdivision creates any new road, roads, street, lane, alley, alleys, way, ways, easement, easements of access or the need therefore.

c. Any development of a parcel of land (for example, as a project), which involves installation of streets, driveways, and/or alleys, even though the streets and alleys may not be dedicated to public use and the parcel may not be divided immediately for the purpose of conveyance, transfer, or sale.

d. For the purpose of these regulations, division of land for agricultural purpose into parcels of more than ten (10) acres shall not be deemed a subdivision.

e. The term “subdivision” includes re-subdivision and, as appropriate in these regulations, shall refer to the process of subdividing land or to the land subdivided.

89. Surface Drainage Plan – a plan showing all present and proposed grades and facilities for storm water drainage.

90. Surveyor – a licensed surveyor registered by the Commonwealth of Pennsylvania.

91. Swale – a low lying stretch of land characterized as a depression used to carry surface water runoff.

92. Through Lot – a lot which abuts a street on two or more opposing or non adjacent sides.

93. Tile Disposal Field – a system of open-jointed or perforated pipes laid in the upper strata of the soil for absorption.

94. Topsoil – surface soils and subsurface soils which presumably are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer called the A Horizon.

95. Undeveloped Land – any lot, tract, or parcel of land which has not been graded or in any other manner prepared for the construction of a building.

96. Unit – means a part of the property, structure or building designed or intended for any type of independent use, which has direct exit to a public street or way or to an easement or right of way leading to a public street or way, and includes a proportionate undivided interest in the common elements, which is assigned to the property, structure or building.

97. Water Facility – any waterworks, water supply works, water distribution system, or part thereof designed, intended or constructed to provide or distribute potable water.

98. Watercourse – a stream of water, river, brook, creek, or a channel or ditch for water whether natural or man-made.

(Ord. 132, July 8, 1975, Art. III, §301)

## Part 4

### Plat Requirements and Processing Procedures

#### §41. General Requirements

Whenever a subdivision of land or land development is desired to be effected in Bloomfield Borough, Perry County, Pennsylvania, a plat of the layout of such subdivision or land development shall be prepared, filed, and processed with the Commission according to the requirements of this Subdivision and Land Development Ordinance<sup>16</sup> except as follows:

1. Where two or fewer lots are proposed to be subdivided from a tract of land or where land is being transferred to be combined with an existing lot, the Governing Body being advised by the Planning Commission in response to a written request by the applicant, may waive the requirements of pre-application plans and data and the preliminary plat requirements, provided such proposal is on an existing street and no new streets are involved. In such cases the applicant shall submit a final plat as follows:

a) A final plat shall be submitted and processed as required under Section 406<sup>17</sup> using the following procedure:

- 1) Where development occurs, a soil characteristics report and information on erosion and sediment control from the Perry County Conservation District through the Conservation Service is required.
- 2) The final plan (6 copies) shall be prepared by a registered surveyor or engineer on sheet sizes (minimum 17" x 22" and maximum 24" x 36") showing the following-
  - a) Outline of the property from which the lot or lots are being subdivided, scale 1" = 100 feet.
  - b) Bearing and distances of the property taken from the property deed including the primary control point.
  - c) Adjacent landowners' names.
  - d) Location on the property map of existing buildings, proposed lots, existing streets, streams, and woods.
  - e) A separate drawing of the proposed lot or lots, (scale no less than 1" = 20 ft) with lot areas, lot numbers, lot dimensions, bearings and distances of lot lines, existing street right-of-way and street name and number, building setback lines, contours with no greater than 5 ft. intervals where development occurs. Undeveloped portions of land, lot additions, or simple subdivisions of land may be contoured at 10 ft. intervals.

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<sup>16.</sup> §§1 to 104 of this chapter.

<sup>17.</sup> §48 of this chapter.

A location map on the plot (scale 1" = 2000 ft) showing property location, streets and other pertinent information.

- f) Additional data needed on the plan:
- 1) Name and address of owner or subdivider
  - 2) Name and seal of surveyor or other person responsible for the plan; also signed certification by surveyor that the plan is correct
  - 3) Date of plan preparation
  - 4) Municipality where property is located
  - 5) North point and scale
  - 6) Certification of ownership and dedicatory statement signed by owner
  - 7) Notary public and recording statement
  - 8) Allow space for stamped approval block to be signed upon approval by the Planning Commission
  - 9) Location of survey monuments shown by an X on the plat
  - 10) Proposed protective covenants running with the land, if any. Where none exist, a simple plan note indicating the fact will fulfill this requirement.
  - 11) Reference to recorded subdivision plats of adjoining platted and by record name, date and number

(Ord. 132, July 8, 1975, Art IV, §401; as amended by Ord. 296, July 5, 2011, §1)

#### **§42. Pre-application Plans and Data: Procedure**

1. Prior to the preparation and filing of the pre-application plans and data with the Commission, the applicant shall consult the Perry County Conservation District, concerning the preparation of plans for erosion and sedimentation control and to secure soil information in order to:

(a) Obtain a report indicating the extent and content of erosion and sedimentation control plans needed and whether a permit for earth-moving activity may be required from the Department of Environmental Resources under the Rules and Regulations, Chapter 102, "Erosion Control," P.L. 1787, June 22, 1937, as amended (see Section 505(1-b) and 505(1-c)).<sup>18</sup>

(b) Obtain a report on the soil characteristics of the site so that the Commission may determine the type and degree of development the site may accommodate because of the limitations of soils as related to basement and foundation construction, street and park area construction and grading conditions.

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<sup>18</sup>. §55 (1) of this chapter.

2. Prior to the preparation and filing of the pre-application plans and data for a subdivision containing 3 or more lots, 3 or more dwelling units on a single lot, or the development of tracts for commercial, industrial, or other purpose, the applicant shall consult the Department of Environmental Resources in regard to the method of sewage disposal and obtain from the Department of Environmental Resources and advisory memorandum indicating the Department's recommendations and advice, which shall be the basis for the determination of the type of sewage facilities which may be acceptable.

3. At this stage, the Commission shall inform the applicant as to which of the following alternatives shall be required based on the location map required under Section 403(8):<sup>19</sup>

- a) The proposed site is within an area which may be served by existing sewer systems.
- b) The proposed site is within an area for which sewer service has been planned by 1980 and therefore may require collection and extension to an existing system.
- c) The proposed site is within as area for which sewer service has been planned by 1990 and therefore may, based on soil conditions, be permitted to have on-lot sewage treatment facilities.
- d) The proposed site is beyond any area for which sewer service has been planned and therefore may or may not, based on soil conditions, be permitted to have on-lot sewage treatment facilities.
- e) The proposed site is beyond any area for which sewer service has been planned and the proposed development would produce large volumes of sewage and the sewage treatment facilities of any type may not be permitted.

4. Nine (9) days prior to a regular meeting of the Planning Commission the subdivider shall submit three (3) copies of the pre-application plans and data as further described under Section 403<sup>20</sup> to the Bloomfield Commission secretary for distribution to the following:

- Bloomfield Borough Engineer - 1 copy
- Bloomfield Borough Planning Commission - 2 copies

and shall ascertain from the Commission those elements to be considered in the design of the subdivision.

The submission of such pre-application plans and data shall not constitute a formal filing with the municipality.

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<sup>19</sup>. §43 (8) of this chapter.

<sup>20</sup>. §43 of this chapter.

5. At this stage, the Commission shall so inform the applicant if his tract is located where a flood hazard exists, in which case the following regulations shall apply:

a) The applicant shall prepare a contour map of the proposed area with such contour intervals as the Engineer shall determine to be necessary and shall prepare plans for drainage or for flood control devices or raise the level of the land above flood plains, satisfactory to the Engineer whenever the Engineer shall consider that such are necessary. No plat shall be approved for which the Engineer finds that drainage or flood control protection is necessary until the Engineer shall approve the plans for drainage, flood control, or for the raising the level of land above the flood plains.

b) Land Subject to Flooding- Land subject to flooding and deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger of [to] health, life or property, or aggravate erosion or flood hazard. Such land within the subdivision or land development shall be set aside on the plat for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

c) Adequate Building Site – To insure that residents will have sufficient flood- free land upon which to build a house, the Commission may require elevations and land profiles. Each lot shall contain a building site which shall be completely free of the danger of flood waters on the basis of available information.

d) Street Elevations – The Borough Council shall not approve streets subject to inundation or flooding. All streets must be adequately located above the line of flood elevation to prevent isolation of areas of flood.

(Ord. 132, July 8, 1975, Art. IV, §402)

#### **§43. Pre-application Plans and Data: Specifications**

1. General information describing or outlining existing covenants, land characteristics, community facilities and utilities, and information describing the proposed subdivision or land development such as the number of lots, typical lot width and depth, parking areas, business areas, playgrounds, park areas, common open space, other public areas, proposed protective covenants, proposed utilities and street improvements.

2. A copy of the report on soil characteristics of the site prepared by the Perry County Conservation District.

3. A copy of the report from the County Conservation District indicating the extent of erosion control plans needed and whether in his opinion a permit for earth-moving activity may be required from the Department of Environmental Resources (see Section 505(1-b) and 505(1-c)).<sup>21</sup>

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<sup>21</sup>. §55 (1) of this chapter.

4. A copy of an advisory memorandum from the Department of Environmental Resources, signed by the County Sanitarian, as require under Section 402(2).<sup>22</sup>

5. Evidence in writing, where one hundred (100) or more dwellings are proposed in a subdivision or land development, from the School District in which the subdivision or land development is located containing the review and comments of the School District on the proposed development.

6. A copy of the report, where one hundred (100) or more dwelling units are proposed in a subdivision or land development, indicating an estimated volume of vehicular traffic movement and the adequacy of the proposed and existing streets and highways to carry the traffic both within and beyond the proposed development and possible solutions to such problems as may be thereby identified.

7. A copy of a report, where one hundred (100) or more dwelling units are proposed in a subdivision or land development, indicating the general arrangement for storm water drainage, the estimated volume of water to be generated and the effect of such volumes on the drainage-ways or streams within the development and that projected volumes can be accommodated by the existing drainage facilities or streams beyond the proposed developments.

8. Location Map showing the relationship of the proposed subdivision or land development to existing community facilities which serve or influence it including the development name, location of any existing community facilities, traffic arteries, utilities, churches, shopping centers, airports, hospitals, principal places of employment, title, scale, North arrow, and date. Such map may be a USGS scale 1:24,000 or municipal map of 1" = 2,000'.

9. Property Map showing the entire lot, tract or parcel to be affected by the proposed subdivision or land development, drawn to a scale of one inch (1") equals one hundred (100') feet or less. A different scale may be used subject to the approval of the Commission.

- (1) The proposed name of the subdivision or land development
- (2) Name of applicant
- (3) Name of the registered owner
- (4) North point; scale and date
- (5) Name of Engineer, surveyor, or other qualified person
- (6) Tract boundaries with bearing and distances
- (7) Approximate location of watercourses, tree masses, rock outcrops, existing buildings, and actual location of sewers, inlets, water mains, easements, fire hydrants, railroads, existing or confined streets and their established grades.

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<sup>22</sup>. §42 (2) of this chapter.

(8) Adjacent streets

(9) Topography, with elevations based on datum approved by the Commission and showing intervals of five feet (5')

10. Sketch Plan, drawn on a print of the property map, showing in simple sketch form the proposed layouts of streets, lots, proposed erosion and sediment control measures and other features, in relation to existing conditions.

11. In cases where the Commission has granted a waiver from the pre-application plans and data procedure, Sections 403.2 through 403.7 above <sup>23</sup> shall be included as part of the preliminary plat or development master plat submission.

(Ord. 132, July 8, 1975, Art IV, §403)

#### **§44. Preliminary Plats: Procedure**

1. The applicant, nine (9) days prior to the meeting of the Commission at which consideration is desired, shall file with the Commission secretary nine (9) copies of a preliminary plat of the proposed subdivision or land development and other required data and maps.

2. The Commission shall submit copies to the Governing Body, the County Planning Commission, Engineer, and may submit copies to the public utilities, Municipal Authority, School Board, Perry County Soil and Water Conservation District, Pennsylvania Department of Environmental Resources and other public agencies. The Governing Body upon recommendation of the Commission shall act on any such preliminary plat within ninety (90) days of its being received. In the event that any variance from this ordinance is requested by the applicant or is deemed necessary by the Governing Body for approval, the variance and the reasons for its necessity shall be entered into the records of the Governing Body.

3. The County Planning Commission shall review the preliminary plat and data and shall return one copy of the plat along with a written report stating their suggestions for modifications and design changes to the Planning Commission within thirty (30) days of receipt of same or forfeit their right to review.

4. The Governing Body shall determine whether the preliminary plat shall be approved, approved with modifications or disapproved, and shall notify the applicant in writing thereof, including, if approved with modifications or disapproved, a statement of reasons for such action, not later than five days following the decision.

5. Before acting on any subdivision plat, the Governing Body may hold a public hearing thereon after public notice.

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<sup>23</sup>. §43 (2 to 7) of this chapter.

6. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the ordinance.

7. Failure of the Borough Council to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision. In which case, failure to meet the extended time or change in manner of presentation of communication shall have like affect.

8. Before final action is taken on any submitted plat the Commission shall submit copies of the preliminary plat and accompanying data to the Engineer who shall advise the Commissions and Governing Body as to the suitability of all engineering details and specifications; to the local office of the Pennsylvania Department of Environmental Resources where septic tanks and/or wells are to be utilized; to all affected public utilities who shall be requested to make recommendations as to the suitability of the utility easements and to the Pennsylvania Department of Transportation where the subdivision or land development will front on existing or proposed State highways or has a proposed street entering on such highway.

9. Approval of the preliminary plat shall not constitute approval of the final subdivision plat by the Borough Council.

(Ord. 132, July 8, 1975, Art. IV, §404)

#### **§45. Preliminary Plats: Specifications**

1. The preliminary plat shall be drawn on a copy of the property map as required under Section 403(6) <sup>24</sup> and shall show:

- (a) Existing contours at vertical intervals of five (5) feet or less as required by the Commission
- (b) The layouts, names, and widths of the right-of-way, cartway, and paving of proposed streets, alleys and easement
- (c) The layout of lots showing approximate dimensions, lot numbers, and approximate area of each lot
- (d) Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space, or other public, semi-public or community purposes.

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<sup>24</sup>. This seems to refer to §43 (9) of this chapter.

2. The preliminary plat shall be accompanied by the following data and plans:

- (a) A profile of each street, including grades
- (b) Location of existing and proposed utility mains
- (c) Location plans of proposed sanitary, storm water or combined sewers and of any proposed water distribution systems
- (d) A profile of the proposed sanitary and storm sewers and water lines, with invert elevations, and connections to existing systems
- (e) A preliminary erosion and sedimentation plan together with a report of the County Conservation District indicating whether a permit for earth-moving activity is required from the Department of Environmental Resources under the Rules and Regulations, Chapter 102, "Erosion Control", P.L. 1987, June 22, 1937, as amended. (see Section 505(1-b) and 505(1-c)).<sup>25</sup>
- (f) A report showing the review and comments of the Department of Environmental Resources on the proposed sewage treatment facilities
- (g) Evidence in writing of the School District's review and comments as required Section 403.5<sup>26</sup>
- (h) A report showing the adequacy of streets and highways as required under Section 403.6
- (i) A report showing the adequacy of storm drainage as required under Section 403.7

(Ord. 132, July 8, 1975, Art IV, §405)

#### **§46. Final Plats: Procedure**

1. The applicant shall, not later than six (6) months after the date of approval of the preliminary plat, for that portion he intends to develop, file with the Borough Council a final plat. Failure to comply with the time limitation herein provided shall make the approval of the preliminary plat null and void unless an extension of time is requested by the applicant and for good cause granted by the Borough Council.

2. The final plat shall incorporate all the changes and modifications required by the Borough Council; otherwise it shall conform to the approved preliminary plat, and it may constitute only that portion of the approved preliminary plat which the applicant proposes to record and develop at the time, provided that such portion conforms with all of the requirements of this ordinance.<sup>27</sup>

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<sup>25</sup>. §55 (1) of this chapter.

<sup>26</sup>. §43 (5) of this chapter.

<sup>27</sup>. §§1 to 104 of this chapter.

3. Three (3) copies of the final plat shall be filed by the applicant with the Borough Council (30) days prior to the meeting of the Commission at which consideration is desired.
4. Before approval of a final plat, the Borough Council must be assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities to cover the cost of the required improvements, as estimated by the Engineer, to the satisfaction of the appropriate municipal officials that all improvements required in Article VI <sup>28</sup> will be installed by the applicant in strict accordance with the standards and specifications of the municipality and within a specified time after approval of the final plat.

The bond or other security shall be made to and deposited with the municipal officials.

5. When the developer has completed all of the required improvements, the developer shall notify the Municipal Governing Body, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Municipal Engineer.

- (a) The Municipal Governing Body shall, within ten (10) days after receipt of such notice, direct and authorize the Municipal Engineer to inspect all of the required improvements.

- (b) The Municipal Engineer shall, thereupon, file a report, in writing, with the Municipal Governing Body, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Municipal Engineer of the authorization for inspection by the Governing Body.

- (c) The report shall be made and mailed within thirty (30) days after receipt by the Municipal Engineer of the aforesaid authorization from the Governing Body.

- (d) The report shall be detailed and shall indicate approval or rejection of said improvement, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Municipal Engineer said report shall contain a statement of reasons for non-approval or rejection.

- (e) The Municipal Governing Body shall notify the developer, in writing by certified or registered mail, of the action of the Governing Body with relation thereto.

- (f) If the Municipal Governing Body or the Municipal Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released of all liability, pursuant to its performance guaranty bond.

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<sup>28</sup>. §§61 to 67 of this chapter.

(g) If any portion of the said improvement shall not be approved or shall be rejected by the Municipal Governing Body the developer shall proceed to complete the same, and upon completion, the same procedure of notification as listed above shall be followed.

6. Before taking action on any subdivision plat, the Borough Council may hold a public hearing thereon after public notice.

7. The Borough Council upon the recommendation of the Commission shall act on the final subdivision or land development plat within ninety (90) days as prescribed in Section 404,<sup>29</sup> paragraphs 4, 5, 6, 7.

8. No change, erasures, modification, or revisions shall be made on any final plat of a subdivision or land development after approval has been given by the Borough Council, and endorsed in writing on the plat, unless the plat is first resubmitted to the Borough Council.

9. Within ninety (90) days after the date of approval of a final plat by the Borough Council the developer shall record an approved duplicate copy thereof in the office of the Recorder of Deeds of Perry County and forthwith file with the Bloomfield Borough officials a copy of a receipt signed by the Recorder of Deeds showing that the approved plat has been recorded together with the Deed Book and page numbers indicated and two (2) copies of the recorded plat.

10. Whenever plat approval by the Borough Council is required, the Recorder of Deeds of the County shall not accept any plat for recording unless such plat officially notes the approval of the Borough Council, Planning Commission and review by the County Planning Commission.

(Ord. 132, July 8, 1975, Art IV, §406)

#### **§47. Final Plats: Specifications**

The final plat shall be drawn on reproducible linen, or other reproducible material of equal quality (minimum 17" x 22" and maximum 24" x 36") in size at a scale of 1" = 100' and shall show:

1. Primary control points, approved by the Engineer, or description and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
2. Tract boundary lines, right-of-way lines of streets, easements, and other right of way, and property lines of residential lots or parcels in unit, cooperative or condominium subdivisions and other sites with accurate dimensions, bearing, or deflection angles, and radii, arcs, and central angles of all curves.
3. Name and right-of-way width of each street or other right of way.
4. Location, dimensions, and purpose of easements.

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<sup>29</sup>. §44 of this chapter.

5. Number to identify each lot or parcel in unit, cooperative condominium subdivision and/or sites.
6. Purpose for which sites other than residential lots or parcels in unit, cooperative or condominium subdivisions are dedicated or reserved.
7. Building setback lines on all lots or parcels in unit, cooperative or condominium subdivisions and other sites.
8. Locations and description of survey monuments. All permanent reference monuments shown by an X on the plat.
9. Names of record owners of adjoining unplatted land.
10. Reference to recorded subdivision plats of adjoining platted land by record name, date, number.
11. Certification by a registered surveyor or registered engineer, licensed in the State of Pennsylvania, certifying to accuracy of survey and plat.
12. Certification of title showing that the applicant is the owner of the land, agent of the landowner or tenant with permission of the landowner.
13. Statement by owner dedicating streets, right of way and any sites for public uses which are to be dedicated.
14. Proposed protective covenants running with the land, if any.
15. Existing and proposed contours at vertical intervals of five (5') feet or less as determined at the preliminary plat stage.
16. Other Data: The final plat shall be accompanied by the following data and plans as prescribed by the Borough Council or as required by the laws of the Commonwealth:
  - (a) Profiles of streets and alleys showing grades
  - (b) Typical cross-sections of each type of street, minor street collector, etc, showing width of sidewalks, if required, and location of utility mains.
  - (c) Plans and profiles of proposed sanitary, and storm water sewers, with grades and pipe size indicated, and a plan of any proposed water distribution system showing pipe sizes and location of valves and fire hydrants.
  - (d) A final erosion and sedimentation control plan, showing the location and types of erosion and sediment control measures together with a report, signed by the County Conservation District, indicating that the plan has been prepared and reviewed as required by "The Clean Streams Law of Pennsylvania", Act 222, July 31, 1970, as amended.

(e) A copy of an application for a permit for earth-moving activity or a permit issued and signed by the Department of Environmental Resources as required by the Rules and Regulations, Chapter 102, "Erosion Control", under P.L. 1987, June 22, 1937, as amended (see Section 505(1-b) and 505(1-c)).<sup>30</sup>

(f) In the case of subdivision and land development plans proposed for the sale of lots only, the subdivider shall include on the final plat a covenant with the land assuring the implementation by the lot owners of the erosion and sedimentation control plan.

(g) A letter from the Department of Environmental Resources assuring the Borough Council that all data, plans and information required by the Rules and Regulations, Chapter 71, "Administration of Sewage Facilities Act 537", have been submitted to the Department of Environmental Resources for review and approval of sewage facilities.

(h) Where a developer intends to provide a separate water supply system to serve more than one dwelling unit the developer shall submit with the final plat a copy of a permit issued by the Department of Environmental Resources, to be filed with the municipality, for the proposed water supply system.

(i) Such other certificates, affidavits, endorsements, or dedications as may be required by the Borough Council in the enforcement of these regulations.<sup>31</sup>

(j) Location plan, clearly describing the location of the tract in the Borough of Bloomfield; This plan may appear directly on the subdivision plan.

(Ord. 132, July 8, 1975, Art IV, §407; as amended by Ord. 296, July 5, 2011, §1)

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<sup>30</sup>. §55 (1) of this chapter.

<sup>31</sup>. This ordinance; §§1 to 104 of this chapter.

Part 5

Design Standards

§51. Streets

1. General Standards – The arrangement, character, extent, width, grade, and location of all streets shall conform to the Official Map and to the Community Master Plan., if one has been adopted, and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in the appropriate relation to the proposed uses of the land to be served by such streets. Where not shown on the Official Map of Community Master Plan, the arrangement and other design standards of streets shall conform to the provisions found herein:

- a. The arrangement of streets in the new subdivision shall make provisions for the continuation of existing streets in adjoining areas.
- b. Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets to the boundaries of the tract to be subdivided.

2. Alleys – Alleys shall be prohibited in residential districts except where proved to be necessary.

3. Intersections – Intersections involving the junction of more than two (2) streets are prohibited. Right angle intersections must be used wherever possible; however, in no case shall streets intersect at less than seventy-five (75) degrees.

4. Intersection Curve Radii – At intersections of the curb or edge of pavement shall not be less than the following:

<u>Intersection</u>	<u>Minimum Simple Curve Radii of Curb or Edge of Pavement</u>
Collector with collector street	thirty-five (35') feet
Collector with minor street	twenty-five (25') feet
Minor street with minor street	fifteen (15') feet

Rounded corners or diagonal cutoffs must be provided on the property lines substantially concentric with or parallel to the chord of the curb radius corners.

5. Intersection Sight Distance – Proper sight lines must be maintained at all street intersections. Measured along the center line, there must be a clear sight triangle of seventy-five (75) feet (150 feet for arterial streets) from the point of intersection, and no building or obstruction higher than thirty (30”) inches above the grade of the center line of the streets shall be permitted in this area.

6. Streets not in Alignment – If streets are not in alignment, the distance between the center lines of streets opening on opposite sides of an existing or proposed street shall be no less than one hundred twenty five (125') feet.

7. Sight Distance – Sight distance must be provided with respect to both horizontal and vertical alignment. Measured along the center line, four (4') feet above grade, this distance must be as follows:

<u>Type of Street</u>	<u>Sight Distance</u>
Collector	200 feet
Minor	100 feet

8. Curves – Where connecting street lines deflect from each other at any one point by more than 10 degrees, the line must be connected with a true, circular curve.

The minimum radius of the center line for the curve must be as follows:

<u>Type of Street</u>	<u>Minimum Radius</u>
Collector	300 feet
Minor	150 feet

Straight portions of the street must be tangent to the beginning or end of curves. Except for minor streets there must be a tangent of at least 100 feet between reverse curves.

10. Street Widths – Minimum street right-of-way and cartway widths shall be as follows:

Street Right-of-Way and Cartway Widths

Average Lot Frontage,  
Measured at the Minimum Required Building Line

Street Type	Under 60 ft.	60-100 ft.	100 ft. or over
Arterial Right-of-way Cartway	As determined by the Commission after consultation with the Borough Council and the Pennsylvania Department of Transportation.		
Collector Right-of-way Cartway	60 feet 36 feet	60 feet 36 feet	60 feet 36 feet
Minor Right-of-way Cartway Alternate	50 feet 36 feet	50 feet 34 feet	50 feet 26 feet 26 feet w/rolled curbs 30 feet w/ vertical curbs

Street Type	Under 60 ft.	60-100 ft.	100 ft. or over
<b>Cul-de-sac</b>			
Right-of-way	50 feet	50 feet	50 feet
Cartway	36 feet	34 feet	26 feet
Alternate			28 feet w/rolled curbs 30 feet w/ vertical curbs
<b>Turnaround of cul-de-sac (diameter)</b>			
Right-of-way	100 feet	100 feet	100 feet
Cartway	80 feet	80 feet	80 feet
Alternate			30 feet min. width 80 feet diam. to outside curb
<b>Marginal Access</b>			
Right-of-way	50 feet	50 feet	50 feet
Cartway	26 feet	26 feet	26 feet
<b>Alley or Service Drive</b>			
Right-of-way	20 feet	20 feet	20 feet
Cartway	20 feet	20 feet	20 feet

10. Cul-de-sacs or Dead-end Streets – Cul-de-sacs or dead-end streets, designed to be so permanently, shall not exceed five hundred (500') feet in length, and shall be provided with a turnaround having dimensions for right-of-way and cartway widths as indicated in the preceding [sub]section, except in nonresidential areas where cul-de-sacs may exceed five hundred (500') feet in length when, under special circumstances, the Borough Council on the recommendations of the Commission deems such additional length is necessary.

11. Street Grades -

- a. The grade of streets shall not be less than the minimum or more than the maximum requirements listed as follows:

<u>Type of Streets</u>	<u>Minimum Grade</u>	<u>Maximum Grade</u>
All streets	0.5%	
Arterial streets		As determined by the Commission after consultation with the municipality and Pa. Dept. of Transportation
Collector streets		7%
Minor streets		10%
Alleys		12%

- b. On minor streets and alleys, grades greater than ten (10%) percent shall be not more than four hundred (400') feet in length.

c. Vertical curves shall be used in changes of grade when the algebraic difference exceeds one (1%) percent, and shall be designed for maximum visibility. Intersections shall be approached on all sides by leveling areas, Where the grade exceeds seven (7%) percent, such leveling areas shall have a minimum length of sixty (60') feet (measured from the intersection of the center lines) within which no grade shall exceed a maximum of four (4%) percent.

12. Slope of Banks Along Streets – The slope of banks along streets measured perpendicular to the street center line shall be no steeper than the following:

- a. One (1) foot of vertical measurement for three (3') feet of horizontal measurement for fills.
- b. One (1) foot of vertical measurement for two (2') feet of horizontal measurement for cuts.

13. Partial Streets – The dedication of half-streets at the perimeter of new subdivisions is prohibited.

14. Names of Streets – Names of streets shall not duplicate or approximate existing or platted street names, or approximate such names by the use of suffixes such as “lane”, “way”, “drive”, “court”, “avenue”. In approving the names of streets cognizance may be given to existing or platted street names within the postal delivery district served by the local post office. New streets shall bear the same name or number of any continuation or alignment with an existing or platted street.

(Ord. 132, July 8, 1975, Art V, §501)

## **§52. Easements**

- a. The minimum width of easements shall be fifteen (15') feet for underground public utility facilities, overhead public utility facilities and drainage facilities and, wherever possible, easements for public utilities shall be centered on side or rear lot lines. Additional width may be required by the Borough Council on recommendation of the Commission and/or Engineer depending on the purpose and use of the easement.
- b. Where the subdivisions traversed by a watercourse, drainageway, channel or stream, there shall be provided a drainage easement, conforming substantially with the line of such watercourse, drainageway, channel or stream, and of such width as will be adequate to preserve the unimpeded flow of natural drainage or for the purpose of widening, deepening, relocating, improving or protecting such drainage facilities, or for the purpose of installing a storm water sewer.

(Ord. 132, July 8, 1975, Art V, §502)

### §53. Blocks

Blocks shall not exceed twelve hundred (1200') feet in length and shall be of sufficient depth to permit two (2) tires of lots, except as otherwise provided for herein.  
(Ord. 132, July 8, 1975, Art. V, §503)

### §54. Lots

The arrangement and design standards of lots shall conform to the following requirements:

1. Layout of Lots – Every lot shall abut a street. Side lots should be substantially at right angles or radial to street lines.
2. Double Frontage – Double frontage lots shall be avoided, except that, where desired along limited access highways, reverse frontage lots may face on an interior street, and back on such thoroughfares. Interior lots having frontage on two streets shall be avoided except where unusual conditions make it necessary.
3. Dimension and Area of Lots – The dimensions and areas of lots shall conform to the requirements of the Bloomfield Borough Zoning Ordinance except as follows:
  - a. Lot Sizes on Slopes – The minimum lot areas therein established shall be increased in accordance with the Borough Council requirements, based on reports from the Department of Environmental Resources and Conservation Service indicating that, because of slope, surface runoff or subsurface drainage of septic tank effluent are likely to result in hazardous conditions.
  - b. Corner Lots for Residential Use – Corner lots designated for residential use shall have extra width of at least ten (10%) percent of the above require width to permit appropriate building setback from, and orientation to, both streets.
  - c. Building Setback Lines -
    - (1) Building setback lines must conform to the Bloomfield Borough Zoning Ordinance.<sup>32</sup>

(Ord. 132, July 8, 1975, Art. V, §504)

### §55. Erosion and Sedimentation Control

#### 1. General Standards

a. In the event that any person shall intend to make changes in the contour of any land or engage in earth-moving activity where earth moving affects 25 acres or more, whether for subdivision, land development or any purpose, such person, who is required to obtain a permit, under Section 102.41, shall obtain a permit from the Department of Environmental Resources in accordance with the requirements of Rules and Regulations, Chapter 1102, "Erosion Control", authorized under P.L. 1987, June 22, 1937.

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<sup>32</sup>. See chapter 26.

b. Further, under the requirements noted above, the Borough Council shall notify the Department immediately upon receipt of an application for a building permit involving earth-moving activity which affects five (5) acres or more of land.

c. The Borough Council shall not issue a zoning permit to those engaged in earth-moving activities requiring a Department of Environmental Resource permit until the Department has issued the permit.

d. An erosion and sedimentation control plan must be prepared for a single lot or more where subdivision, land development or other earth-moving activity is proposed. The plan must be submitted:

(1) As required by the Rules and Regulations of the Department of Environmental Resources noted above, and

(2) As required by the Pennsylvania Clean Streams Law, Act 222, July 31, 1970, as amended.

e. Such erosion and sedimentation control plan must be submitted to the County Conservation District Directors for review, and a copy of the plan and Conservation District Directors review shall be submitted to the Commission as part of the final plat submission, Section 407(16-d).<sup>33</sup>

f. In the preparation of erosion and subdivision plan the person preparing such plans shall consult the County Conservation District to determine the erosion and control measures needed to control erosion and reduce sedimentation. The Erosion and Sediment Control Handbook, prepared by the Perry County Conservation Districts, may be helpful in the preparation of such plans. Copies are available in the Conservation District office.

(Ord. 132, July 8, 1975, Art. V, §505)

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<sup>33</sup>. §47 (16-d) of this chapter.

## Part 6

### Improvement and Construction Requirements

#### §61. Responsibility of Subdivider

The subdivider shall provide all improvements required by these regulations, <sup>34</sup> the specifications for the improvements contained herein shall apply:

(Ord. 132, July 8, 1975, Art. VI, §601)

#### §62. Monuments and Markers

1. Monuments must be set:
  - a. At the intersection of all street right-of-ways lines.
  - b. At the intersection of lines forming angles in the boundaries of the subdivision.
  - c. At such intermediate points as may be required by the Engineer.
2. Markers must be set:
  - a. At all corners except those monumented.
  - b. By the time the property is offered for sale.
3. Monuments and markers shall be made of the following size and material:
  - a. Monuments shall be six (6") inches square or 4 (4") inches in diameter and shall be thirty (30") inches long. Monuments shall be made of concrete, stone, or by setting a four (4") inch cast iron or steel pipes or iron or steel bars.
  - b. Markers shall three-quarters (3/4") of an inch square or three-quarters (3/4") of an inch in diameter fifteen inches long. Markers shall be made of iron pipes, iron or steel bars.
4. Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented.

They must be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in the concrete.

(Ord. 132, July 8, 1975, Art. VI, §601)

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<sup>34</sup>. Especially in this article, §§61 to 67 of this chapter.

## §62. Street Surfacing

1. Pavements – Streets must be surfaced to the grades and dimensions drawn on the plans, profiles, and cross-sections submitted by the applicant and approved by the Borough Council. Before paving the street surface, the applicant must install the required utilities and provide, where necessary, adequate storm water drainage for the street acceptable to the Borough Council. The pavement base and wearing surface must be constructed according to the following specification:

a. Minor Streets – The base course shall consist of eight (8”) inches of compacted crushed stone constructed according to specifications set forth in Section 310, “Crushed Aggregate Base Course”, in the Pennsylvania Department of Highway Specifications, 1970, as amended, or the base course shall consist of five (5”) inches of bituminous concrete base course construction according to the Pennsylvania Department of Transportation publication #190, “Guidelines for Design of Local Roads and Streets”.

Construction of the surface course shall comply with the specification set forth in Section 420, “Bituminous Surface Course ID-2A,” of the Pennsylvania Department of Highway Specifications, 1970, as amended, or the surface course shall be one and one-half (1-1/2”) inches of ID-2 in accordance with the requirements of the Pennsylvania Department of Transportation publication #190, “Guidelines for design of Local Roads and Streets”.

b. Collector Streets – The base course shall consist of ten (10”) inches of compacted crushed stone constructed according to specifications set forth in Section 310, “Crushed Aggregate Base Course”, in the Pennsylvania Department of Highway Specifications, 1970, as amended, or the base course shall consist of six (6”) inches of bituminous concrete base course construction according to the Pennsylvania Department of Transportation publication #190, “Guidelines for Design of Local Roads and Streets”.

Construction of the surface course shall comply with the specification set forth in Section 420, “Bituminous Surface Course ID-2A,” of the Pennsylvania Department of Highway Specifications, 1970, as amended, or the surface course shall be one and one-half (1-1/2”) inches of ID-2 in accordance with the requirements of the Pennsylvania Department of Transportation publication #190, “Guidelines for design of Local Roads and Streets”.

2. Shoulders – The base course shall consist of eight (8”) inches of compacted stone, gravel, or slag constructed according to the specifications set forth in Section 350, “Sub-base”, in the Pennsylvania Department of Highway Specifications, 1970, as amended. (See Section 659, “Stabilized Shoulders”, in the Pennsylvania Department of Highway Specifications, 1970, as amended)

3. Arterial Streets – For the construction of arterial roads or highway, the subdivider shall consult the Borough Council and be governed by the Pennsylvania Department of Transportation for the method of construction to be used. The Borough Council, on the recommendation of the Commission, shall decide if a collector or arterial street is required as a direct result of the construction of his subdivision.

4. Driveway Entrances – Driveway entrances or aprons within the street right-of-way shall be surfaced to their full width, and in no case shall be less than ten (10') feet, the type of surface to be the same as specified above. Where sidewalks are installed, the required driveway surfacing shall end at the street side of the sidewalk.

- a. Driveway entrances along streets, where curbs are not required, shall be constructed to provide proper drainage along the streets and from the streets by the continuation of gutters, swales, or ditches.

Such continuation may be provided by having an approved pipe of not less than eighteen (18") inches in diameter cross such driveway entrance.

- b. Driveway entrance along streets, where curbs are not required, shall be constructed so that the driveway meets the edge of the cartway as a continuation of the slope from the crown of the street for not less than five (5") feet.

5. Curb Cuts at Driveway Entrances – The curb height at driveway entrances may be reduced to a minimum of one (1") inch for driveway entrances along streets where curbs are required.

The maximum width of reduced curb height shall be twenty (20') feet for residential driveways and forty (40') feet for commercial or industrial driveways.

Sidewalks, across driveway entrances where required, shall be constructed in accordance with the requirements in Section 607 in this ordinance.<sup>35</sup>

(Ord. 132, July 8, 1975, Art. VI, §603)

## **§64. Sewers and Water**

1. Where a public sanitary sewer system is within one thousand (1000') feet of, or where plans approved by the municipality provide for the installation of such public sanitary sewer facilities to within one thousand (1000') feet of, a proposed subdivision, the subdivider shall provide the subdivision with a complete sanitary sewer system if, in the Borough Council opinion, on the recommendation of the Commission, it is feasible.

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<sup>35</sup> §67 of this chapter.

2. Where the installation of a sanitary sewer system is not required, the subdivider or owner of the lot, at the time improvements are erected thereon, a private sewage disposal system consisting of a septic tank and tile absorption field or other approved sewage disposal system. All such individual sewage disposal systems shall be constructed in accordance with the Rules and Regulations of the Pennsylvania Department of Environmental Resources.

3. Where a water main supply system is within one thousand (1000') feet of, or where plans approved by the municipality provide for the installation of such public water facilities, the subdivider shall provide the subdivision with the complete water main supply system to be connected to the existing or proposed water main supply system in accordance with the municipality's specifications.

4. Where the installation of a public water supply system is not required, the subdivider or owner of the lot shall provide for each lot, at the time improvements are erected thereon, an individual water supply approved by the Pennsylvania Department of Environmental Resources, as to source, installation, and quality of water.

(Ord. 132, July 8, 1975, Art. VI, §604)

#### **§65. Storm Drainage**

1. Whenever the evidence available to the Borough Council or recommendation of the Commission indicates the natural surface drainage is inadequate, the subdivider shall install storm sewers, culverts, and related facilities, as necessary to:

- a. Permit the unimpeded flow of natural watercourses.
- b. To ensure the drainage of all low points along the line of streets.
- c. Intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained.
- d. Provide positive drainage away from on-site sewage disposal facilities.

Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being subdivided, but also the anticipated increase in runoff that may occur when all the property at a higher elevation in the same drainage basin is fully developed.

2. Existing Facilities – Where adequate existing storm sewers are readily accessible, the subdivider must connect his storm water facilities to the existing storm sewers.

3. Abutting Properties – In the design of storm water drainage facilities, special consideration must be given to preventing excess runoff onto adjacent developed or undeveloped properties. In no case may a change be made in the existing topography which would:

a. Result in increasing any portion of the slope steeper than one (1') foot of vertical measurement for three (3') feet of horizontal measurement for fills, or one (1') foot of vertical measurement for two (2') feet of horizontal measurement for cuts within a distance of 20 feet from the property line unless an adequate retaining wall or other structure is provided.

b. Result in a slope which exceeds the normal angle of slippage of the material involved. All slopes must be protected against erosion.

4. Drainage upon and on Streets

a. Upon Streets – In order to give proper surface water drainage upon streets, a structure on a lot must be at a grade in satisfactory relationship:

(1) With established street grade; or

(2) With the existing grade where none is established.

b. On Streets –

(1) A street must be designed so as to provide for the discharge of surface water from its right of way. The slope of the crown on a street cartway shall not be less than 1/8 of an inch per foot and not more than 1/3 of an inch per foot. Adequate facilities must be provided at low points along the street and other points necessary to intercept runoff. The slope of the street from the property line to the curb shall not be less than 3/4 of an inch per foot.

(Ord. 132, July 8, 1975, Art. VI, §605)

**§65. Curbs and Gutters**

Wherever a proposed subdivision or land development shall average three or more lots per gross acre included in the subdivision, or where any subdivision is immediately adjacent to or within one thousand (1000') feet of any existing or recorded subdivision having curbs and gutters, curbs and gutters shall be installed on each side of the street surface in accordance with the specifications. The Borough Council on recommendation of the Commission may require installation of curbs and/or gutters in any subdivision where the bulk of the buildings, areas of parking, roads and the gradient of such areas or other evidence indicates that such improvements are necessary for proper drainage.

1. Curbs, gutters, or combination curbs and gutters shall be constructed according to the specifications set forth in Section 641, Types A, C, and D, "Plain Cement Concrete Curb Gutter," in the Pennsylvania Department of Highways Specifications, 1970, Form 408, of the Pennsylvania Department of Transportation.
2. Where vertical curbs are provided they shall be not less than six (6") inches wide at the top and seven (7") inches wide at the bottom. The overall depth of the curb shall not be less than twenty (20") inches. The curb shall rest on a six (6") inch crushed stone base.
3. The cross-section of gutters and combination curbs and gutters shall be constructed in accordance with the details shown on approved drawings.
4. Curbs and gutters shall be set and finished to the lines and grades given on the approved drawings.

(Ord. 132, July 8, 1975, Art. VI, §606)

**§67. Sidewalks**

Wherever a proposed subdivision shall average three or more lots per gross acre included in the subdivision, where any subdivision is immediately adjacent to or within one thousand (1000') feet of, any existing or recorded subdivision having sidewalks, sidewalks shall be installed on each side of the street in accordance with the specifications. The Borough Council on recommendation of the Commission may require installation of sidewalks in any subdivision where the evidence indicates that sidewalks are necessary for public safety.

1. Sidewalks shall be within the right of way of the street and shall extend in width from the right-of-way line toward the curb line.
2. Sidewalks must be at least four (4') feet wide. In the vicinity of shopping centers, school, recreation areas and other such facilities, sidewalks must be at least five (5') feet wide and located within the street right of way.
3. Sidewalks shall be constructed according to the specifications as set forth in Section 676, "Cement Concrete Sidewalks", in the Pennsylvania Department of Highways Specifications, 1970, Form 408, as amended, of the Pennsylvania Department of Transportation.

(Ord. 132, July 8, 1975. Art. VI, §607)

## Part 7

### Mobile Home Parks

#### §71. Grant of Power

The Governing Body of each municipality may regulate subdivisions and land development within the municipality by enacting a subdivision and land development ordinance. Provisions regulating mobile home parks shall be set forth in separate and distinct articles of any subdivision and land development ordinance adopted pursuant to the Pennsylvania Municipalities Planning Code, Act 247, as amended by Act 93, 1972, Article V, Section 501. (Ord. 132, July 8, 1975, Art. VII, §701)

#### §72. Purpose, Authority and Jurisdiction

The purpose, authority and jurisdiction for land development as a mobile home park are the same as contained in Article II of this ordinance.<sup>36</sup> (Ord.132, July 8, 1975, Art. VII, §702)

#### §73. Definitions

For the definition of words related to land development as a mobile home park the definitions contained in Article III of this ordinance<sup>37</sup> shall apply. For the convenience the definitions related to mobile homes are repeated here.

1. Mobile Homes – means a transportable, single family dwelling for permanent occupancy, office or place of assembly contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.
2. Mobile Home Lot – a parcel of land in a mobile home park, improved with the necessary utility connection and other appurtenance necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.
3. Mobile Home Park – a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more mobile home lots.

(Ord.132, July 8, 1975, Art. VII, §703)

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<sup>36.</sup> §21 of this chapter.

<sup>37.</sup> §31 of this chapter.

**§74. Plat Requirements and Processing Procedure**

The plat requirements and processing procedure for land development as a mobile home park shall be in accordance with the requirements contained in Article IV of this ordinance.<sup>38</sup> (Ord.132, July 8, 1975, Art. VII, §704)

**§75. Design Standards**

The arrangement and other design standards of streets, easements, blocks, lots, recreation areas and erosion and sedimentation control shall be in accordance with the requirements contained in Article V of this ordinance <sup>39</sup> except as follows:

1. Street Widths in Mobile Home Parks

- a. The minimum street right-of-way and cartway widths of public or private streets shall be as follows:

Street Right of Way and Cartway Widths

<u>Street Type</u>	<u>Width</u>
Collector	
Right-of-way	60 feet
Cartway	24 feet
Minor	
Right-of-way	50 feet
Cartway	20 feet

- b. Provision for additional street width (right-of-way, cartway or both) may be required when determined to be necessary by the Governing Body upon the recommendation of the Commission in specific cases for:

- (1) Public safety and convenience
- (2) Where the number of mobile homes proposed to be located in a mobile home park exceeds one hundred (100) units.
- (3) Widening of existing streets where the width does not meet the requirements of the preceding paragraphs.

2. Lots in Mobile Home Parks

- a. On land laid out as a mobile home park, not served by public or mobile home park water system and public or park sewerage collection and treatment system, land meeting the necessary percolation and soil survey

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<sup>38.</sup> §§41 to 47 of this chapter.

<sup>39.</sup> §§51 to 55 of this chapter.

requirements and approved by the Department of Environmental Resources, the lots shall not be less than one hundred (100') feet measured at the minimum required setback line nor less than fifteen thousand (15,000) square feet in area, per mobile home unit, exclusive of streets and other public uses.

b. On land laid out as a mobile home park, served by public or mobile home park water system and not by public or park sewerage collection and treatment system, the land meeting the necessary percolation and soil survey requirements and approved by the Department of Environmental Resources, the lots shall not be less than eight-five (85') feet wide measured at the minimum required setback line nor less than ten thousand (10,000) square feet in area; per mobile home unit, exclusive of streets and other public uses.

c. On land laid out as a mobile home park, served by both public or mobile home park water system and public or mobile home park sewerage collection and treatment system acceptable to the Department of Environmental Resources, the lots shall be not less than sixty (60') feet wide measured at the minimum setback line nor less than seventy two hundred (7,200) square feet in area, per mobile home unit, exclusive of streets and other public areas.

3. Building Setback Lines

a. In a mobile home park, the setback line must conform to any applicable zoning<sup>40</sup> or mobile home park ordinance.<sup>41</sup> Where no such ordinance exists, the minimum setback from the right-of-way line of a dedicated street shall be as follows:

<u>Street Type</u>	<u>Minimum Setback from the Required Right-of-Way</u>		
Arterial .....	forty	(40)	feet
Collector .....	thirty	(30)	feet
Minor .....	twenty-five	(25)	feet

b. In a mobile home park the setback on a private street shall be as follows:

<u>Street Type</u>	<u>Minimum Setback from the Required Right-of-Way</u>		
Collector .....	fifteen	(15)	feet
Minor .....	ten	(10)	feet

4. Side and Rear Building Lines

a. In a mobile home park, side or rear building lines shall not be less than ten (10') feet from the side and rear lot lines of each mobile home lot, and not less than twenty-five (25') feet from the mobile home park property line on the sides and rear not adjacent to a dedicated public street right-of-way.

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<sup>40</sup>. See Chapter 26.

<sup>41</sup>. See Chapter 13.

5. Off-Street Parking Requirements

- a. In a mobile home park, paved off-street parking areas shall be provided at the rate of at least one and one-half (1-1/2) vehicular parking spaces for each mobile home lot.
- b. Each such off-street parking space shall contain at least three hundred (300) square feet and shall be located within three hundred (300) feet of mobile home lot it is intended to serve.

6. Open Space Requirements

- a. In a mobile home park, not less than ten (10%) percent of the total land areas shall be provided for usable open space. Such space shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located and easily accessible to all park residents.
- b. Such open space shall be paved or protected with vegetation growth that is capable of preventing soil erosion and the emanation of dust during dry weather.

7. Park Areas for Nonresidential Uses

- a. In a mobile home park, no part of the park shall be used for a nonresidential purpose, except such uses that are specifically required for the direct servicing and well-being of park residents and for management and maintenance of the park.

(Ord.132, July 8, 1975, Art. VII, §705)

**§76. Improvements and Construction Requirements**

In a mobile home park, all improvements, construction improvements required, shall be provided in accordance with Article VI of this ordinance <sup>42</sup> and shall also provide the following additional improvements:

1. Buffer Strips

- a. In a mobile home park, a suitably screened or landscaped buffer strip at least ten (10') feet wide, approved by the Commission shall be provided by the developer along all of the property lines separating the mobile home park from adjacent uses.

2. Signs and Lighting

- a. Signs may be permitted subject to the approval of the Commission.
- b. All means of ingress, egress, walkways, streets, and parking lots shall be adequately lighted.

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<sup>42</sup>. §§61 to 67 of this chapter.

3. Other Site Improvements

- a. An enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
- b. Tie-downs to prevent the movement of the mobile home by natural causes (wind, etc.) shall be provided for each mobile home.
- c. Each mobile home lot shall be provided with a four (4") inch concrete slab on a stable surface at least 10 feet by 18 feet in size for use as a terrace and so located so as to be adjoining and parallel to the mobile home and not extend into the front, side, or rear yard. Such slab shall contain an electrical outlet to which the electrical system of the mobile home shall be connected.
- d. Individual tenants at the mobile home park may construct attached enclosures or covered patios to individual mobile homes, provided that such enclosure does not exceed the slab area noted in 3-c above and does not encroach into the front, side or rear yards areas. Planning Commission approval shall be required in each case.
- e. Provision shall be made by the park operator to have garbage and waste collected at least once every week. Any refuse disposal site proposed within the mobile home park shall be subject to the approval of the State Department of Environmental Resources.
- f. There shall be provided in each mobile home park such other improvements as the Commission may require whereby such requirements shall at times be in the best interests of the park residents.

(Ord. 132, July 8, 1975, Art. VII, §706)

**§77. Fees**

1. At the time of filing the preliminary plat and final plat for the development of a tract of land for a mobile home park, the applicant shall be required to pay the Commission a fee determined annually by resolution of the Borough of Bloomfield and secure a permit.

2. Mobile Home Park Permits – Any person intending to develop a tract of land as a mobile home park shall have a permit from the Borough of Bloomfield for each such park, issued in accordance with the following requirements:

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<sup>43</sup>. This seems to refer to Article VIII; §§ 81 to 82 of this chapter.

- a. Such permit shall be issued by the Borough of Bloomfield Permit Officer upon proper allocation and submission of evidence of compliance with the provisions of this ordinance <sup>44</sup> and all other applicable legal requirements, and upon payment of a fee provided herein.
- b. Each permit shall be valid for one year, from the date of issue.
- c. Each application for a permit shall be accompanied by a fee, payable to the Borough of Bloomfield, in an amount set annually by resolution of Borough Council for each mobile park lot in the mobile home park. The permit fee shall constitute the license fee for the first year commencing with the date of notice of approval of the application.
- d. The first application for a permit for a mobile home park proposed for development, following the effective date of this ordinance, shall be made to the Borough of Bloomfield Permit Officer on a form provided by him, and shall be submitted together with the copies of the following:
  - (1) A copy of the approved final plat signed y the proper officials.
  - (2) A receipt signed by the Recorder of Deeds, showing that the mobile home park plat has been publicly recorded.
  - (3) A permit issued by the Department of Environmental Resources as required by Chapter 179, Title 25, Rules and Regulations, "Mobile Home Parks".
- e. The first application for a permit for a mobile home park existing on the effective date of this ordinance shall be made to the Bloomfield Borough Permit Officer on a form provided by him, and shall be submitted together with copies of the following:
  - (1) A copy of the plan submitted to the Pennsylvania Department of Environmental Resources as required by Chapter 179, Title 25, Rules and Regulations, "Mobile Home Parks".
  - (2) A permit issued by the Department of Environmental Resources as required by Chapter 179, Title 25, Rules and Regulations, "Mobile Home Parks".
  - (3) A receipt signed by the Recorder of Deeds showing that the mobile home park plat has been publicly recorded together with the Deed Book and page number indicated and two (2) copies of the recorded plat.

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<sup>44</sup>. §§ 1 to 104 of this chapter; in particular, §§ 71 to 79.

f. Application for the annual renewal of the license shall be made by the holder of the license, to the Bloomfield Borough Permit Officer on a form provided by him, within fourteen (14) days preceding expiration of the preceding license period, shall be accompanied by a fee as required in paragraph (c) above, and by any changes since the preceding license issued.

The Bloomfield Borough Permit Officer shall inspect each mobile home park prior to the issuance of a license for conformance with the provisions of this ordinance and all of the applicable legal requirements.

g. It shall be incumbent upon the proprietor of a mobile home park to keep a register and to report therein the name of person or head of the family occupying each said mobile home, showing date of entry on said land, license number of automobile, serial number, and make and size of trailer, the last permanent address of the person or head of family using said mobile home, and the names of all persons using or living in said mobile home park.

g. Said register and mobile home park shall be subject to inspection by the Bloomfield Borough Permit Officer annually or upon the request of the Borough Council.

(Ord. 132, July 8, 1975, Art. VII, §707; as amended by Ord. 274, 6/5/2009, §§5 &10)

#### **§78. Alteration of Requirements**

The application for any alteration of requirements shall be accordance with the requirements of Article IX of this ordinance.<sup>45</sup> (Ord. 132, July 8, 1975, Art. VII, §708)

#### **§79. Enforcement, Penalties, Severability and Amendments**

The enforcement, penalties, severability and amendments shall be in accordance with the rules and regulations of Article X of this ordinance.<sup>46</sup> (Ord. 132, July 8, 1975, Art. VII, §709)

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<sup>45.</sup> §§91 to 95 of this chapter.

<sup>46.</sup> §§101 to 104 of this chapter.

## **Part 8**

### **Fees**

#### **§81. Filing**

At the time of filing the preliminary plat, for a tract of land the applicant shall pay by check payable to the Borough an amount as determined annually by resolution of the Borough Council for each lot in the proposed subdivision or land development with a minimum total charge as determined by the Borough Council annually to cover the Borough Council's cost of reviewing the proposed plats and required maps and data.

#### **§82. Engineering**

A. On or before the date on which the final plat is to be considered by the Borough Council the applicant shall pay by check, payable to the municipality, an amount determined by the Engineer, sufficient to cover costs of:

- (1) Reviewing the plat's engineering details
- (2) Inspecting the layouts of the site for conformance to the survey and plan
- (3) Reviewing the results of the percolation tests
- (4) Preparing cost estimates of required improvements
- (5) Inspecting required improvements during installation
- (6) Final inspection on completion of installation of the require improvements

B. The engineering fees required to be paid by this article shall be promptly paid to the Borough by the applicant upon the submission of bills therefore to the applicant from time to time, as such fees are billed to the Borough or Municipal Authority by its or their engineers.

C. Other fees – Fees for all other permits required for and by the Borough for opening roads, connecting to sewers, building construction, etc.

D. The applicant at the time of application shall agree to cover the cost of advertising the ordinance, accepting the deed of dedication and its recording and registration costs.

(Ord. 132, July 8, 1975, Art. VIII, §802; as amended by Ord. 274, 6/5/2009, §11)

## Part 9

### Alteration Requirements

#### §91. Authority to Grant Variance

Where, owing to special conditions, a literal enforcement of the provisions of these regulations <sup>47</sup> will result in unreasonable hardship, the Borough Council, on the recommendation of the Commission, may make such reasonable alteration thereto as will not be contrary to the public interest and so that the spirit of these regulations shall be observed and substantial justice done. (Ord. 132, July 8, 1975, Art. IX, §901)

#### §92. Application for Variance

Applications for any alteration of requirements shall be submitted in writing by the applicant at the time the preliminary plat is filed with the Commission. The application shall state fully the grounds and all facts relied upon by the applicant. (Ord. 132, July 8, 1975, Art. IX, §902)

#### §93. Conditions for Modification or Waiver

In subdivisions where lots are created for the purpose of seasonal occupancy (for use on weekends, vacations, or for hunting or fishing), the requirements of these regulations concerning the width and construction of cartways, curbs, or sidewalks, and the requirements of plat specifications and procedures, may be modified or waived, subject to the following conditions:

The lot area shall be one (1) acre or larger

Facilities for water supply and sewage disposal shall be approved by the Pennsylvania Department of Environmental Resources and acceptable to the Governing Body of the municipality and to the Planning Commission.

(Ord. 132, July 8, 1975, Art. IX, §903)

#### §94. Recording

In granting any alteration of requirements the Borough Council shall record its action and the grounds for granting any variance to the applicant applying for the alteration. (Ord. 132, July 8, 1975, Art. IX, §904)

#### §95. Denial

Whenever a request for the alteration of requirements is denied, the Borough Council shall record its action and the grounds for such denial in its minutes. The Borough Council action and the grounds for such denial shall be communicated, (in writing), to the applicant. (Ord. 132, July 8, 1975, Art. IX, §905)

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<sup>47</sup>. This ordinance, §§ 1 to 104 of this chapter

## Part 10

### Enforcement, Penalties, Severability, Amendments

#### §101. Administration and Enforcement

1. The Commission and the Governing Body shall have the duty and authority for the administration and general enforcement of the provisions of this ordinance,<sup>48</sup> as specified or implied herein. Officials of the Borough of Bloomfield having regulatory duties and authorities connected with or appertinent to the subdivision, use and development of land shall have the duties and authorities for the controlling enforcement of the provisions of this ordinance, as specified or implied herein or in other ordinances of the Borough.

2. Permits required by the Borough, for the erection or alteration of buildings,<sup>49</sup> the installation of sewers or sewage disposal systems,<sup>50</sup> or other appertinent improvements to, or use of, the land, shall not be issued by any Borough official responsible for such issuance until he has ascertained that the site for such building, alteration, improvement or use is located, in accordance, with the provisions of this ordinance regulating the subdivision of land.

Also, such permits shall be issued only after it has been determined that the site for such building, alteration, improvement or use conforms to the site description as indicated by the approved and recorded final plat or other land description acceptable in accordance with the provisions of this ordinance, and that it is in compliance with all applicable provisions of this ordinance.

3. The Borough Engineer shall require that applications for sewage disposal system permits contain all the information for him to ascertain that the site for the proposed system is acceptable in accordance with the provisions of this ordinance, the Rules and Regulations of the Department of Environmental Resources and any requirements of the Borough pertaining to the issuance of such permit.

(Ord. 132, July 8, 1975, Art. X, §1001)

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48. §§ 1 to 104 of this chapter

49. See chapter 5

50. See chapter 17

## **§102. Amendments**

Amendments to the subdivision and land development ordinance<sup>51</sup> shall become effective only after a public hearing held pursuant to public notice as defined herein<sup>52</sup> and in accordance with the Pennsylvania Municipalities Planning Code of 1968 as amended, Act 247, Article V, Section 505, (Ord. 132, July 8, 1975, Art. X, §1002)

## **§103. Penalties**

Any person, partnership, or corporation who, or which, being owner or agent of the land of any lot, tract or parcel of land, shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main, or other improvements for public use, travel or other purposes, or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to, or by other use of, a plat of such subdivision or land development, or otherwise, or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this ordinance and of the regulations adopted hereunder and has been recorded as provided herein,<sup>53</sup> shall be guilty of a misdemeanor, upon conviction thereof, such person, or the members of such partnership, or officers of such corporation, or agent of any of them, responsible for such violation, shall:

- (a) Pay a fine not exceeding one hundred (\$100) dollars per lot or parcel or per dwelling within each lot or parcel.

The description of such lot or parcel by metes and bounds in instrument of transfer, or other document used in the process of selling or transferring, shall not exempt the seller or transferee from such penalties, or from the remedies herein provided. The Borough may also enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction, in addition to the penalty herein provided.

(Ord. 132, July 8, 1975, Art. X, §1003)

## **§104. Severability**

If any section, clause, provision, or portion of these regulations<sup>54</sup> shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of these regulations.

(Ord. 132, July 8, 1975, Art. X, §1004)

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<sup>51.</sup> This ordinance, §§ 1 to 104 of this chapter

<sup>52.</sup> In §31 (63) of this chapter

<sup>53.</sup> § 46 (9) of this chapter

<sup>54.</sup> §§ 1 to 104 of this chapter